

Agenda

Item #6



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: Commissioners
From: Jonathan Wayne, Executive Director
Date: March 26, 2013
Re: Status of Audits of 2012 Maine Clean Election Act Candidates

Since your last meeting, the Commission's auditor, Vincent W. Dinan, has completed audits of 31 Maine Clean Election Act candidates, who were selected at random. Mr. Dinan prepared the attached memo listing the completed audits. Thirty audits found no exceptions (violations).

One first-time candidate, Jeremy G. Saxton, failed to keep a receipt for a payment of \$64.00 to the U.S. Postal Service. The candidate did have a copy of a payment check for the transaction. Since the payment was for a legitimate campaign expenditure and all other transactions examined by the auditor were in full compliance, the auditor noted the deficiency in Rep. Saxton's report, but did not suggest that you take any action.

I have also attached a sample of a "no exception" audit report, for your reference.



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Memorandum

TO: Members of the Commission
FROM: Vincent W. Dinan, Auditor
DATE: April 5, 2013
SUBJECT: Audit Report Transmittal

The Commission staff has completed the 2012 general election campaign audits for the candidates listed below.

<u>Candidate</u>	<u>Contest</u>	<u>Status</u>
Darrell A. Adams	House 6	No exceptions
Roger A. Bishop	House 123	No exceptions
Rep. Sheryl J. Briggs	House 93	No exceptions
Rep. Michael E. Carey	House 72	No exceptions
Lloyd S. Chase	House 44	No exceptions
Rep. Janice E. Cooper	House 107	No exceptions
Rep. Ann E. Dorney	House 86	No exceptions
Aaron K. Gilman	House 12	No exceptions
Rep. Gay M. Grant	House 59	No exceptions
Rep. Stacey K. Guerin	House 22	No exceptions
Michael L. Jenkins	House 8	No exceptions
Rep. Walter A. Kumiega, III	House 36	No exceptions
Rep. Karen Kusiak	House 84	No exceptions
Rep. Louis J. Luchini	House 38	No exceptions
Gail C. Maynard	House 3	No exceptions
Rep. Carol A. McElwee	House 4	No exceptions
Rep. Stephen W. Moriarty	House 108	No exceptions.
Rep. Ann E. Peoples	House 125	No exceptions
Joel A. Pitcher	House 50	No exceptions
Rep. Christine B Powers	House 101	No exceptions
Michael G. Radeka	House 32	No exceptions
Rep. Jeremy G. Saxton	House 64	Single violation (attached)
Rep. Peter C. Stuckey	House 114	No exceptions
Sen. David C. Burns	Senate 29	No exceptions
Sen. Emily A. Cain	Senate 30	No exceptions
Sen. Patrick S. Flood	Senate 21	No exceptions
Sen. James M. Hamper	Senate 13	No exceptions
Sen. Roger J. Katz	Senate 24	No exceptions
Sen. Edward J. Mazurek	Senate 22	No exceptions
Anne C. Perry	Senate 29	No exceptions
Sen. Edward M. Youngblood	Senate 31	No exceptions



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February 14, 2013
Audit Report No. 2012-HR011
Candidate: Representative Jeremy G. Saxton
House District 64

Background

Representative Jeremy G. Saxton was a candidate for election to the Maine House of Representatives, District 64, in the 2012 general election. Rep. Saxton was certified for Maine Clean Election Act (MCEA) funding on April 24, 2012. Under the terms of the Act, MCEA candidates are required to submit reports of contributions received, campaign expenditures, equipment purchases and dispositions, and outstanding campaign debt for specified periods during the election cycle.

Audit Scope

The auditor examined selected contributions made to the campaign, and certain expenditures made during the following reporting periods:

- Seed Money
- 11 Day Pre-Primary
- 42 Day Post-Primary
- 42 Day Pre-General
- 11 Day Pre-General
- 42 Day Post-General

The transactions examined were recorded in the campaign's accounting and banking records. The audit's purpose was to determine if the identified contributions and expenditures (1) were properly approved by the candidate or his authorized representative; (2) were adequately documented as evidenced by original vendor invoices and cancelled checks or other acceptable third party disbursement documentation; (3) were properly reported to the Commission; and (4) complied in all material respects with the requirements of the Maine Clean Election Act and the Commission's rules.

Audit Findings and Recommendations

No significant violations were noted during the auditor's examination. In one instance, however, the candidate was unable to provide a vendor-generated document supporting a payment of \$64.00 to the U. S. Postal Service. A cancelled check payable to the USPS in the reported amount was supplied by the Saxton campaign. In that (1) the amount was reasonable and a legitimate campaign expenditure, and (2) all other transactions examined by the Auditor were in full compliance with the MCEA, the Auditor has concluded that the documentation error does not rise to the level of a formal violation, and recommends that the Commission not assess a penalty for this oversight.

Respectfully submitted,

Vincent W. Dinan, Auditor

Approved:

Jonathan Wayne, Executive Director



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March 22, 2013
Audit Report No. 2012-HR028
Candidate: Darrell A. Adams
House District 6

Sample

Background

Darrell A. Adams was a candidate for election to the Maine House of Representatives, District 6, in the 2012 general election. Mr. Adams was certified for Maine Clean Election Act (MCEA) funding on April 24, 2012. Under the terms of the Act, MCEA candidates are required to submit reports of contributions received, campaign expenditures, equipment purchases and dispositions, and outstanding campaign debt for specified periods during the election cycle.

Audit Scope

The auditor examined selected contributions made to the campaign, and certain expenditures made during the following reporting periods:

- Seed Money
- 11 Day Pre-Primary
- 42 Day Post-Primary
- 42 Day Pre-General
- 11 Day Pre-General
- 42 Day Post-General

The transactions examined were recorded in the campaign's accounting and banking records. The audit's purpose was to determine if the identified contributions and expenditures (1) were properly approved by the candidate or his authorized representative; (2) were adequately documented as evidenced by original vendor invoices and cancelled checks or other acceptable third party disbursement documentation; (3) were properly reported to the Commission; and (4) complied in all material respects with the requirements of the Maine Clean Election Act and the Commission's rules.

Audit Findings and Recommendations

No exceptions or reporting deficiencies were noted.

Respectfully submitted to the Commission for information and file.

Vincent W. Dinan, Auditor

Approved:

Jonathan Wayne, Executive Director

OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS